

## Skimming the Surface: A Look into Ontario Land Records

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*Land Records are documents tracing the ownership of real property. These records began in Ontario around the 1760s.*

### Genealogical Value of Land Records

Land Records are an invaluable resource in Ontario research. These records may provide of plethora of genealogical information such as:

- where and when ancestors lived in an area
- the name of spouses, heirs, and other relatives
- the names of neighbors (potentially relatives)
- where ancestors lived previously
- the occupation of ancestors
- the relationship of ancestors to a Loyalist ancestor
- when ancestors left the area and where they were moving
- who transferred the land to an ancestor, and the person to whom the ancestor transferred it—people who are possibly relatives

Among this information, these records are great locator tools and can act as a substitute for many Canadian documents. Keep in mind the following dates for some main record types in Canada:

- **Census Records:** Ontario began keeping census records in 1841/42, but this first census is a partial survey. The censuses were more complete starting in 1851.
- **Civil Registration:** Ontario started civil registration in 1869. At this year most birth, marriages, and deaths were required to be recorded at the provincial level. However, there are some marriage records that can date back to 1801; these records are more sparse and incomplete.
- **Tax Records:** 1793 is the starting date for these records, but these are for a limited number of townships and do not encompass the entire population. These records are more consistent starting in the 1820s and 1830s.
- **Probate Records:** Ontario began keeping these records around 1793, but these records are often found in the land books. This includes transcriptions of the wills and the administration of entire estates.

### Background and History of Canada and Ontario

- **1667:** The first successful French settlements in North America became New France. This encompassed the area of modern-day Quebec and Ontario. The Hudson Bay Company owned Rupert's Land, west of New France. There were many disputes in the western Ontario region between the British and French.

- **1763:** 1660 and 1763, France owned the area encompassing Quebec running down south to Louisiana. As a result of the Treaty of Paris, France turned over the land to Great Britain.
- **1789-1794:** The Land Board Districts were formed in modern-day Ontario as an effort to standardize and help with the land obtaining process. There were four districts: Hesse, Nassau, Mecklenburg, and Lunenburg. They were renamed in 1792 to Western, Home, Midland, and Eastern respectively. These Land Boards were abolished in 1794 and centralized through the executive council. These Land Boards records can be found on the Library and Archives website. For a map of the districts, see: <http://www.archives.gov.on.ca/en/maps/textdocs/districts1788big.aspx> and <http://www.archives.gov.on.ca/en/maps/textdocs/districts1792big.aspx>
- **1791-1841:** Due to the Canada Act of 1791, Ontario became known as Upper Canada, as Ontario lay up the St. Lawrence River. During this time, an influx of British Loyalists immigrated to Upper Canada demanding land and representation in government. Quebec became known as Lower Canada.
- **1841-1867:** The Province of Canada is formed. Modern-day Quebec is renamed Canada East and modern-day Ontario is renamed Canada West.
- **1867:** The dominion of Canada by the Canada Confederation on 1 July 1867. 4 provinces were formed: Quebec, Ontario, New Brunswick, and Nova Scotia.
- **1868:** Rupert's Land was bought from the Hudson Bay Company. This land became the North-West Territories.
- **1870:** Manitoba becomes the fifth province of Canada.
- **1871:** British Columbia becomes the sixth province of Canada
- **1873:** Prince Edward Island becomes the seventh province of Canada
- **1905:** Alberta and Saskatchewan become the eighth and ninth provinces of Canada
- **1949:** Newfoundland becomes the tenth province of Canada

## United Empire of Loyalists

These are loyalists that supported the British Crown during and after the Revolutionary War, but they had three distinct qualifications: lived in the British colonies, fought on the British side, and fled to the colonies that remained British.

In 1789 a proclamation was issued, granting families that had defended the unity of the British Empire the right to add the capital letters UE after their name. In some records, you may find the mark "UE", or "DUE" (daughter), or "SUE" (son) of United Empire Loyalists. While the original proclamation gave this right only to those that came before 1789, the date was later extended to 1798. The proclamation also granted Loyalists and their families and heirs the right to obtain free land grants.

## Loyalists

These are individuals that remained loyal to the British cause. This group did not meet the qualifications of the United Empire of Loyalists. There are three main groups of loyalists: residents of the provinces of Québec or Nova Scotia before the Revolution who had fought in British regular or colonial troops; disbanded soldiers of the British regular army and auxiliary German mercenary corps; and conscientious objectors (such as Mennonites and Quakers) who had supported the British but refused to take arms for religious reasons. The military groups did qualify for similar land-related privileges as the United Empire of Loyalists.

## Read and Evaluate Ontario Land Records

### Land Systems in Canada

Before reading Ontario land records, it is important to understand some of the land systems used in Ontario and Canada. This will help you make sense of the land descriptions. In Canada there are four main land systems:

- **Dominion Land System:** This began in Canada around 1870 and encompasses the majority of Canada, especially in the west. Based off of the American public land system, townships of 36 square miles were divided into 36 “sections” of one square mile. These sections were then divided into halves and quarters as such. This system utilizes base lines and meridians as in the U.S. See this picture for an example:  
<https://commons.wikimedia.org/wiki/File:Dominion-land-system-overview.png>
- **River Lot System:** This system was commonly used in New France. It consists of long narrow lots running perpendicular to the riverways. The communities using this system rely heavily upon river transportation to stay connected to the community; this accounts for the buildings near the river on each lot. See this picture for an example:  
<https://www.flickr.com/photos/manitobamaps/2079199096/in/photostream/>
- **Patchwork System:** This system is mainly found in the Atlantic Provinces, especially Newfoundland and Nova Scotia. Main features include the use of natural features marking the beginning and the end of a boundary. A typical description of a piece of property under this system would refer to the house of one person and an oak tree nearby and a riverbed with direction such as easterly or northern being noted. This produced many odd shaped lots whose boundaries were often not very accurate and of course such features often changed or disappeared. As a rule, these lots are organized within a parish or township and are given numbers to set them apart from the other lots.
- **Rectangular Lot System:** This system is used mainly in Quebec and Ontario. The township is the largest unit and is broken down into concessions and lots. The lots were usually of uniform size and shape (rectangle). The concession and row form a grid system in each township. Concessions are long strips of land, in no specific direction, and were labeled with Roman numerals. Lots run perpendicular of concession lines and were labeled with numbers.

### Common Ontario Land Records

- **Land Registry Records:** These books are akin to land deed books in the U.S. land record collections. These register books record land transfers from person-to-person. Records inside these books could include deeds, mortgages, grants, and more. Watch for name indexes at the beginning of each volume.
- **Abstract Index Books:** These books are indexes of the land records organized by the township, concession, and lot number. They have singular or multiple pages for each lot and list the ownership history of the land. These are incredibly useful to track the land’s history after finding an entry in the land registry records.
- **Crown Land Records:** These are land transfers from the crown to persons. They are arranged in township paper collections. The collections are organized by township, concession, and lot number. The records contain packets for each person buying the land which may include location certificates, land description papers, copies of patents, and more. The abstract index books do have the land record numbers for crown purchases and grants.
- **Heir and Devisee Records:** These records have packets for different disputes made in court who were entitled to receive land. Watch for indexes at the beginnings of collections or in separate microfilms. The packets may include testimonials of

neighbors, letters from the claimant, land description paperwork, military service records, probate records, and anything that could be used to vouch for their claim to the land.

## Evaluate New Information

When you find new records, it is important to read and evaluate the documents for key information. Keep in mind this process of determining genealogical value in documents:

1. Read through the entire document
2. Pull out key information and people
3. Evaluate the record and the information
4. Compare the information with previously known information and the research goal
5. Read and evaluate again
6. Ask, where do you look next?

When evaluating, consider asking the following questions:

- Who created the record?
- When was it created?
- For what purpose was it created?
- What is the physical condition?
- Is there any conflicting information with other records?
- What is primary versus secondary information?
- What other records does this lead to?

## Finding Ontario Land Records

### Starting Land Record Research

Before looking into land records, consider what clues you have to get started. The following are some records that could contain information that would help you to find land records for your ancestors:

- **Census Records:** Note the county/district and township where they are living, check the local land name indexes for your family's surnames.
- **Probate Records:** These could list land being given away, note the land descriptions when mentioned.
- **Military Service Records:** This is most applicable for Loyalists. If your ancestor fought for the British armies, they and their heirs likely qualified for land grants from the crown. Check land petition records or heir and devisee records at the Library and Archives Canada website to find land records.

### Online Research.

Keep in mind that not all land records will be digitized. There are five main websites to check when doing land record research online: Library and Archives Canada, FamilySearch, Ancestry, Archives of Ontario, and OnLand.

**Library and Archives Canada** has a massive land record collection. Use their free databases online from your own home at any time. There are some land records that have been digitized through Heritage, a digitization project, but there are links to these databases through the LAC website. Some of the main collections for Ontario land records include: Land Petitions of Upper Canada, 1763-1865, Land Petitions of Lower Canada, 1764-1841, Upper Canada Land Books, 1787-1841, and the Heir and Devisee Commission, 1795-1854. These can all be found through

the following link: <https://www.bac-lac.gc.ca/eng/discover/genealogy/places/Pages/ontario.aspx#c>

**FamilySearch.org** has a large collection of land records, especially the Land Registry records, Abstract Index Books, and Township Papers from the Crown Lands Department. Use the FamilySearch Catalog to find these collections. Do a place search in the FamilySearch Catalog at the county/district level to see all land records for a specific jurisdiction. Watch for separate collections for name indexes.

**Ancestry.com** has a few valuable Ontario land record collections, namely “The Loyalists in Ontario” and “Ontario Land Gazetteer, 1875-81.” These collections can be found through their card catalog. They will help you to identify ancestors with land and make it easier to narrow down the location of the land ownership.

**Archives of Ontario** has many land records, but most of their collection is based on microfilms. They have some digitized collections, one of which being the “[Second Heir and Devisee Commission Case Files \(1804-1895\)](#).” These case files, which date from 1804 to 1895, document claims for land made to the Second Heir and Devisee Commission.

**OnLand** found at <https://www.onland.ca/ui/> is an online information source from the Ontario Land Registration and Writs system. This website gives access to official property documents. Their Ontario Land Property Records Portal allows you to search abstract index books for Ontario land. Simply enter in the area of the land, the concession, number, and lot number. This will take you directly to the abstract index records for the area. They even have records up to more modern-day (as privacy will allow).

## Additional Resources

- [FamilySearch Ontario Land and Property Wiki Page](#)
- [FamilySearch Canada Land and Property Wiki Page](#)
- [Library and Archives Canada Ontario Records](#)
- [Library and Archives Canada Maps: 1667-1999](#)
- [Archives Ontario Tracing Your Family History](#)
- [Michael Stephenson's Upper Canada Land Petitions Index A-Z](#)